

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

GABRIEL SCAFF-MARTINEZ,

Plaintiff.

VS.

CONSTANCE REESE, et al.,

Defendants.

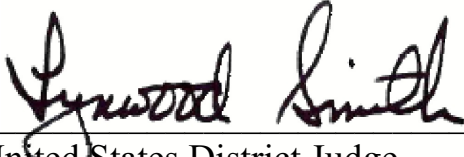
Case No. 1:10-cv-00549-CLS-HGD

MEMORANDUM OPINION

The magistrate judge filed a report on August 31, 2012, recommending that the defendants' special report be treated as a motion for summary judgment and, as such, that it be granted and this action dismissed with prejudice. The plaintiff filed objections to the report and recommendation on November 14, 2012.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections filed by the plaintiff, the court is of the opinion that the magistrate judge's report is due to be, and it hereby is, ADOPTED, and his recommendation is ACCEPTED. The court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendants' motion for summary judgment is due to be GRANTED and this action is due to be DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

DONE this 27th of December, 2012.


United States District Judge